

**City of Saratoga Springs  
Planning Commission Meeting  
July 28, 2016**

Regular Session held at the City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**Minutes**

**Present:**

Commission Members: Kirk Wilkins, Sandra Steele, David Funk, Ken Kilgore, Troy Cunningham, Brandon MacKay

Staff: Kimber Gabryszak, Planning Director; Mark Christensen, City Manager; Sarah Carroll, Senior Planner; Kevin Thurman, City Attorney; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder

Others: Steve Maddox, Melanie Jex, Amanda Yates, Jayden Yates, Christine Finlinson, Patricia Pikus, Lee Pikus, Curtis Levitt, Brandon Watson, Greg Magleby, Lisa Swearingen, Vaughn Barrett, Caral Barratt, Greg Larson, Garner Oleson, Kelsey Dean, Koren Ashknazi, Clark Layman, Jen Morrison

**Excused:** Hayden Williamson

**Call to Order - 6:32 p.m.** by Vice Chair David Funk

1. **Pledge of Allegiance** - led by Jayden Yates

2. **Roll Call** – A quorum was present

3. **Public Input**

**Public Input Open** by Vice Chair David Funk

No input tonight.

**Public Input Closed** by Vice Chair David Funk

Chairman Wilkins arrived at this time.

4. **Public Hearing: Rezone from R-3 to Planned Community, General Plan Amendment from Low Density Residential to Planned Community, Community Plan, and Master Development Agreement for Mount Saratoga, located approximately 1200-1900 West, between Pony Express Parkway and SR73, Edge Homes Applicant.**

Senior Planner Carroll presented the plans. The application covers approximately 688 acres and proposes residential and commercial development and large amounts of open space. Density is based on the overall project area minus the commercial acreage which results in 2,553 units within 680.43 acres and equates to 3.75 units per acre. The applicant is requesting a waiver to the 20' buffer strip in some locations. The applicant is proposing that the City own and maintain 205 acres of open space, including a trail and park network that will be installed by the developer. The applicant will be required to install a water tank. There are some slopes they are requesting to be cut and filled. Sarah reviewed sensitive lands and hillside standards, proposed design guidelines, and architectural standards.

Applicant Steve Maddox mentioned that they have tried to employ as much labor in the front end and to understand the land and not just doing something one dimensional. The infrastructure is their biggest stumbling block as the highest point in the City. They have tried to go above what is asked by the City to enhance the community. The exceptions they have asked for are not cost saving but will make things efficient and be able to build on the hillsides. They have tried to implement their expertise along with their engineer and City staff. They are asking for setbacks based on livability and design, not because they are trying to make additional units. They have taken over 6 projects in the city that became dysfunctional

during the recession. This is one they have been able to take more of a raw canvas on. They feel their 11 miles of trails will be a tremendous asset to the community. They are trying to make it harmonious with the natural surroundings and have connectivity. They have some commercial along Pony Express; they do not have a user for that yet. They will start in the south and move north and want to be able to connect thru Talus Ridge Blvd. the first year.

**Public Hearing Open** by Chairman Kirk Wilkins

Koren Ashknazi commented that they are a rural neighborhood, and she noted their Sage Hills area doesn't have city infrastructure and they were annexed without their say to the City. They are happy to have the new neighbors but she is concerned about a connector road through Sage Hill. The cul-de-sac today is all broken because of the trucks serving Edge Homes. She is concerned about all the traffic through there. She would like to keep their area private with their 5 acres. The City hasn't given them utilities and wants to keep it rural but if they want to develop the connector then the city should give them sidewalks and lights and things.

Lisa Swearingen is a realtor for century 21. She supports this development. Everything Edge Homes has done has been well done. There is a lot of demand for these houses. She feels it brings many tax dollars to the City.

Melanie Jex is excited for all the trail development and welcomes the new homes. Her concern is for the added traffic on 800 West that feeds to Talus Ridge Blvd. She would like for a plan to be in place for a turn lane to be striped in and out of Sunrise Meadows for the increased traffic.

Amanda Yates likes the plan and welcomes the growth but is concerned for their road on Sage Hill with the road not being able to support the infrastructure and traffic. Also the road is used for exercise a lot. She is concerned with how many high density units there are planned and having them attract higher crime.

Commissioner Wilkins commented that they would try to answer all the questions after public comment.

Jen Morrison, resident of Eagle Mountain, was concerned about possible connectors to Eagle Mountain. (Senior Planner Carroll responded they tried but were not allowed to connect to Eagle Mountain.) She wanted to know what the buffer was between this and their retention pond. She wanted to know where the multifamily housing was planned and if it would affect their traffic. She would like to see a preservation plan for sensitive resources in the development.

Lee Pikus has owned 5 acres in the Sage Hills area. He wants to know what happens if the water can't get in place, and if it would be a well or piped. He is concerned about the connection to the existing cul-de-sac and that road won't be able to handle the traffic that goes through that road. He asked who would improve that road so that it could connect. Why do they need so many rentals instead of single family homes, it costs more to the police for the problems.

Christine Finlinson noted the many changes they have seen in the city since they built. She would like to urge them to change the zoning and amend the general plan and master plan, the plans that were in existence when Saratoga was adopted are no longer appropriate for the growth we see here. When they were annexed into the City they weren't given many options, they have tried to be good citizens with the City and have worked with them for roads and things. What they are asking now is to encourage them to allow Edge Homes to go forward with their development because they would also like to have the same option to develop in the future, they are not at that point yet.

Vaughn Barrett lives in the Sage Hills area, that directly borders this development on the west. He hopes they will try to hold the line on high density, he understands there is a need but it is a slippery



slope, which is his primary concern. He is concerned about water; Sage Hills has been slow to develop because of the difficulty of getting water. They were told years ago that they were in the wrong pressure zone (3) for culinary water, those west of them share that pressure designation. It's an opportunity to mesh and provide water to future development in this area. For years they enjoyed access on their western boundary as a gentleman's agreement, they request somehow that access be maintained to the western boundary of their property. He understands this is a phased plan and they have time to consider and adjust a little bit.

Greg Larsen echoed the concern about increased traffic on 800 W. especially during school season. He noted it would be good if there was some land reserved for a school and noted the overcrowding this will make in the existing school. He was concerned also about water availability and about traffic on Sage Hills. Either the access needs to change or the existing roads need to be improved greatly. He also thinks that people will want to buy homes to live and stay and they don't need so much high density. The high density will cripple the School without working with the school district. He asked if someone could go over the open space plan a little more.

Clark Layman is concerned about the added homes around his blocking views and crowding. He is concerned about the water and where it will be coming from. He is concerned about the high density housing. He has been in many different types of cities and one common thing is that crime usually finds its way into those types of communities, especially with rentals.

**Public Hearing Closed** by Chairman Kirk Wilkins

Steve Maddox addressed some of the public questions. He noted Water is their number one concern also. They have met with the Central Utah Water Conservancy District. They will pump water into a million gallon tank and in addition do a second pond which will support the zone. The infrastructure the City is committed to is well beyond capacity for 15 years of growth.

He noted the density is equivalent to what they have done at Talus Ridge. He believes the low income they refer to are the children of his generation that need to afford housing. They have created pockets of HOA open space to control people's idea of a well-groomed lawn and maintenance and longevity to increase value and livability. He doesn't build apartments for rent. He feels it will be a community to allow people to both start and retire here. The Open space is a hybrid of groomed areas, amenities, and natural space. They feel they have planned not just what is best for this community but the whole City. They have been in communication with the school district and the LDS church. There are not specific sites identified for churches yet, the church will choose their own places later. The district has already identified where they want a school and what type of school.

Steve Maddox addressed the traffic and striping on 800, they feel they can work with City to procure that. The connection on Sage is not a request of Edge homes, but of the City for connectivity. They are in support of staff's recommendation, it is many years out and they can look at connectivity for all services. They would hope people can ride trails in Nov. They hope the amenity package encourages people to get outside. They want to be harmonious and not destroy what is there. He isn't aware of another project that will have this large amount of open space. Clustering will allow for preserving some of that.

Steve Maddox commented that they are trying to protect some of the natural features of the area. There was a buffer of about 180 feet from the border to an Eagle Mountain residence. He is not building for-rent product. He noted they are building this product in many communities and it is about a 40% empty nester ratio in their products. Seniors that want to be a part of the community, but not care for a yard.

Senior Planner Carroll addressed the question of developing the connectivity to Sage Hills. They will require a traffic study and will review the loading on the road and see what improvements are required on that road. The Code does require interconnection for many reasons. There is the main road that leads out to 73 from Sage Hills and at that time they will review traffic and see what impact that has on adjacent roads. It is an old County Road that is being maintained by the City. She pointed out a footprint area for a future Elementary School.



Senior Planner Carroll noted areas for the tanks and ponds, higher in elevation than the homes. She noted the trail intended to maintain access to the power line corridor. The access road would stay. The improved trail would lend to a variety of interests like the equestrian center nearby.

Senior Planner Carroll spoke further to open space; she noted the manicured lots, darker green on the map, with amenities. Lighter green was native with trails. The darker lines are trail system. The developer will improve roads in their project traffic studies will decide if things need to be done outside the development.

City Manager Christensen feels many comments were very appropriate; right now the Sage Hills area is treated more like a rural area, it is on wells and septic systems, connection with Mt Saratoga would allow us to build infrastructure which would be available to service that area in concept. It will be Central Utah Water and will require booster stations and pumps. It will become a stronger overall system as more capital projects are added to provide a more consistent service for the City. With this application we will have access to an elevation that will allow them to build the infrastructure for the zone 3 area. It would not be connected across SR 73 on different elevations. He noted it would be able to upsize the pond servicing Sunrise Meadows. It will be addressed at the various phases of this project. The plan they have will address those problems. In order to repair the old Sage Hills road it could need a complete rebuild. It is currently on the Road Maintenance Plan based on an engineer's estimate.

City Manager Christensen touched on speaking with the school district; he has met with them several times in the last few weeks. We are actively working with them on growth issues and they are looking in the site for a future school.

City Manager Christensen addressed the question of crime and high density. If you look at the theory of development the lower densities have a higher economic cost, around 5-6 units per acre the density actually is more of a break even. Will high density equal crime? The answer is greater population equals crime; that is the better indicator. The fear of rental units is what people ascribe to crime, where this project is owner occupied it is not necessarily the factor. From a large standpoint we have seen crime increase in the City as we have seen the population increase. It's not necessarily occurring in high density areas.

City Engineer Miner commented that they will have to bring infrastructure, right now we can't service water with what we have now, and that is why they are bringing it. It will bring it not only for their development; it will have the opportunity to help other developments.

Commissioner Steele noted when you talk about the cul-de-sac and only servicing a few lots, with the connectivity there would be more traffic so that may move it up to be fixed. She thanked the public for coming. It seems counterintuitive, but the City becomes better infrastructure wise with added improvements. Development does benefit everybody. It's good to see designs that meet our code. She asked how wide the alleyways were. Brandon Watson with Edge Homes noted the alleyways were 20-24' wide banded by apron of some sort about 2 feet. Commissioner Steele was concerned with alleyways less than 24 feet. There will be garage door openers. On page 52 of the plan she is concerned about the color scheme and floor plan mixing. Steve Maddox noted there was a redundancy built into it so they are not allowed to replicate within 3 homes of each other. They self-regulate that as a matter of good business. Commissioner Steele mentioned that this developer has done things before we asked and beyond what has been asked and she is confident they will do it in the manner they say they will do it.

Commissioner Kilgore asked about percentages required for proposition 6, they didn't seem to add up correctly. Senior Planner Carroll remarked that he was correct that they added to over 100% but that was the exact wording of the proposition. Planning Director Gabryszak noted it requires no less than 73% to be single family. Of the other ranges you can have up to those numbers. We don't have any single story town homes; there are a handful of duplexes. We are still well within the guidelines regardless of the category. Commissioner Kilgore asked about the culinary water for outdoor uses. City Engineer Miner noted it was temporary. As the development and infrastructure comes online the secondary would become permanent. Steve Maddox commented they are targeting 500ish units to make sure the pond is in place ahead of time. He explained that the flex was to allow for building whichever type unit what was more needed, but it has



a cap on the amount of units. Commissioner Kilgore asked what kind of tax impact it would be to take over the 205 acres. City Manager Christensen said they budget a few thousand per manicured acre, much of this is trails which is cheaper to maintain and less water. Similar area around the benches has proved to be successful. It is a City Council decision to make if they accept it. Commissioner Kilgore asked if the engineer and fire chief were ok with filling and cutting the slopes. City Engineer Miner replied that it can be done. City Manager Christensen said there are engineering standards they are required to meet. Commissioner Kilgore mentioned lighting was not mentioned in the plan. Senior Planner Carroll replied as it stands they are subject to our Code. He also mentioned that there was nothing about ADU's, which would then also be subject to City Code. Commissioner Kilgore noted they were asking for waiver on some of the borders and if staff had any issues. Senior Planner Carroll replied in those locations there wasn't a concern.

Commissioner MacKay asked about the concession on the 205 acres. Senior Planner Carroll replied that every home pays a park impact fee. Because the developer is installing the amenities and improved areas they are asking they not pay that credit for each building permit. It would have to be discussed further; there are some state law criteria. City Manager Christensen mentioned that a lot of open space may not qualify, it may require amendments, but some others that would qualify for park credit. We try to find a balance what is proposed meets the intent of our Master Plan. Commissioner MacKay asked what amenities they have for disabled or elderly. Steve Maddox noted that many of the buyers they have coming are an older demographic. Everything they do will be ADA compliant. Each Village will be part of independent HOA's, individual pods would be HOA controlled with the accessible items and tot lots and things.

Commissioner Cunningham commented about Utah Rock coming in to help with preservation, whatever method they do he is hoping for some sort of markers to explain about native features. Steve Maddox welcomed any input he may have for preservation.

Commissioner Funk thanked the community for their comments. He also shares some of their concerns. He thanked the developer for their plans and wasn't sure we could get another developer that would go to the lengths they did and develop the plans like they did. He suggested to the residents of Sage Hills, if they truly wanted to be rezoned that they request that of the City. He knows that the City doesn't always do things as fast as the citizens want them to. He knows the City is strapped on time and money. One thing he didn't hear was about people that head up that way with 4 wheelers and what impact that would have on them or on the developer. It may be something they want to look into. Talus Ridge Dev. has caused a large amount of increased traffic on 800 W. and it's already being impacted and he isn't sure if the City has looked it or not yet but they may want to look at it for restriping. He is very pleased with what they are doing; he is a little concerned about some of the slight changes from our normal code. One is the 18 foot setback of the garage rather than the 20 feet, the covered vs. the enclosed parking, should probably be allowed, question on the buffer zone waiver on the east side. Senior Planner Carroll responded that the Community Plan Zone allows it and specifically requires the applicant to request a waiver.

Commissioner Wilkins asked about impact fees, what the decision hinges on and what the City leans toward. City Manager Christensen noted it is up to City Council. Things we want to look at are if we need to amend our parks master plan to include trails and things. Commissioner Wilkins is concerned about the 18' driveways as well especially with larger vehicles. With the parking he is ok with that. He is ok with the waiver on the buffer on the east side.

Commissioner Steele would ask if they vote tonight if they could separate the Master Development Agreement out. Planning Director Gabryszak noted they have worked to make sure the relevant code changes are in the Community Plan not the Master Development Agreement, they can break them up. Senior Planner Carroll noted the Master Development Agreement solidifies everything they have gone over tonight with legal language. The attorneys are still working on some fine details. There is a condition that it is in draft format and still needs finalized and they can forward the draft to City Council. If it was



postponed it would postpone the project considerably. City Manager Christensen noted that conditions of the rezone are tied up in it; if they table it will prevent them for taking action on the rezone. Commissioner Kilgore noted he had reviewed it and it appeared to have been based on the previous Master Development Agreement that was approved. He asked the applicant what he thought about the new amenity point system. Steve Maddox thinks it's fantastic, transparent and fair.

**Motion made by Commissioner Funk that Based upon the information and discussion tonight, I move to forward a recommendation for approval of the Rezone and General Plan Amendment, from Low Density Residential (R-3) to Planned Community for the MT Saratoga project, as identified in the Community Plan, with the findings and conditions in the staff report. Seconded by Commissioner Cunningham. Aye: Sandra Steele, David Funk, Kirk Wilkins, Ken Kilgore, Troy Cunningham, Brandon MacKay. Motion passed 6 - 0.**

**Motion made by Commissioner Steele that Based upon the information and discussion tonight, I move to forward a recommendation for approval of the Community Plan for the MT Saratoga project, as identified in the Community Plan, with the Findings and Conditions in the staff report. Seconded by Commissioner Funk. Aye: Sandra Steele, David Funk, Kirk Wilkins, Ken Kilgore, Troy Cunningham, Brandon MacKay. Motion passed 6 - 0.**

**Motion made by Commissioner Funk that Based upon the information and discussion tonight, I move to forward a recommendation for approval of the Master Development Agreement for the MT Saratoga project, as identified in the Community Plan, with the Findings and Conditions in the staff report. Seconded by Commissioner Kilgore. Aye: David Funk, Kirk Wilkins, Ken Kilgore, Troy Cunningham, Brandon MacKay. Motion passed 5 - 0. Abstain: Sandra Steele.**

Commissioner Steele would like the record to show she abstained due to not having enough time to review the document.

A short break was taken at this time.

**5. Work Session: Accessory Dwelling Units Code Amendments.**

Planner I Baron presented the proposed amendments. He reviewed some of the revisions due to feedback. There was a recommendation to look at Provo City definition, which was included in the Staff report. There was a revision bringing lot size up to 8000 sq. ft. The parking was changed to a min. of 2 parking spaces. There was a table prepared of subdivisions CC&R's that may or not allow Accessory Dwelling Units (ADU).

Commissioner Wilkins asked what the process would be for a neighborhood to go through if their CCR's don't address it. Planning Director Gabryszak replied they could form an HOA and go through process to allow it. HOA's could amend their own CCR's to allow it. There can be a difference between those that are part of a Master Development Agreement or those that are only the subdivision. Those would not be allowed to have ADU's because they were not allowed in the Master Development Agreement the City agreed to. Staff is no longer recommending an overlay zone based on CCR's and where they are allowed. They recommend a citywide program, allowed regardless of CCR's, and put in place enough requirements so you don't see them pop up everywhere. They are trying to keep it minimal so you can do it and retrofit to meet the requirements but not make it so low that it's unsafe and have too many impacts on neighborhoods. We feel those protection are going to be enough. As developers come through the City they can choose whether they want to allow it in their CCR's, anything they are silent about defaults to City Code. If they are in a Master Development Agreement that clearly says single family they can't allow it. They would have to amend the Master Development Agreement.

Commissioner Kilgore asked about max size for an ADU, 1000 sq. ft. or 1/3 of the main home whichever is larger. A 1200ft. home could have a 1000 ft. Apartment. He thinks a minimum makes sense for lot size.



He referred to what was allowed for temporary leave of absence, what about a school grad program, maybe that should be allowed, it's like a sabbatical. Planning Director Gabryszak noted they could add sabbatical or just Education.

Planning Director Gabryszak followed up on building requirements. The Building Official is recommending separate air. She noted the value of separate heating and air systems in circumstances of contagion. She gave examples of ways to comply that were less expensive.

Commissioner Steele is concerned about the size of the ADU's especially with larger homes. Planning Director Gabryszak noted the potential for a lot of 2-3000 sq. ft. ADU's is very few, and most of the homes that size would not want an ADU. Commissioner Steele thought there was a way to word it differently to lessen the impacts to the neighborhoods. She believes 1000 sq. ft. is fair. It ought to be capped. Planning Director Gabryszak responded that they didn't want to have to have people wall off part of the basement to comply. Planner I Baron commented that there is a requirement that any detached has to have 3000 above the minimum for that zone but are also bound by the 50% lot coverage. City Manager Christensen noted there are extremes but you may want to consider it and gave an example that worked very well.

Commissioner Funk suggested putting a 2000 sq. ft. cap. Planning Director Gabryszak thought that would be good for detached and leave it the way it was for attached.

The separation of utilities was discussed. They didn't necessarily need separate meters. City Manager Christensen would say keep the heating, air, building code fire separation, if they want to go beyond like an on demand water heater or whatever they could. He noted a lot of this is discussed with the good landlord program that discusses all these issues.

Commissioner Wilkins asked if the staff had gotten any public opinion on this. He wanted to make sure people were properly noticed. Planning Director Gabryszak replied we would public notice it through the normal public process. City Manager Christensen noted it is time to update our Affordable Housing Survey and this will help us in our reporting issues.

City Planner Jamie Baron mentioned that in the discussion about capping detached they proposed they could go with 1250 as the min. If they cap it at that for detached then they are not permitting anything larger than the minimum for a new house in that zone.

#### **6. Work Session: Buffer Overlays, City Initiated.**

City Planner Kara Knighton presented the proposed amendments. The Buffer Overlay Zone is related to the Mixed Waterfront Zone overhaul and is meant to regulate river and lake riparian setbacks, pedestrian access and experience, as well as trail standards and regulations along the entire length of the Jordan River and Utah Lake lakefront. They are meeting with SLC watershed restoration and planning division to help with the bank stabilization portion.

Planning Director Gabryszak noted the most successful river fronts had a buffer. It protects the corridor and the ability for the waterway to exist naturally. The trail way setback is low impact. The patio area setback has no impactful structure so there is a combined 85ft. that helps protect the area. They propose increasing densities to help make up for other standards they are required to meet. They are just looking at a few locations for mixed waterfront areas, the buffer would exist along the whole waterfront. They are hoping that Lehi might consider something like this. The best waterways they saw were when communities worked together.

Commissioner Wilkins asked what you could do in the 50' buffer. Planning Director Gabryszak replied basically only stabilization and removal of invasive species.

Commissioner Steele noted on Item #6 shall provide parking, what kind of development, residential or commercial required that. Staff replied Non-residential.

Commissioner Funk asked looking at the patio and lawn area, would they be allowed to put up a fence. Planning Director Gabryszak would recommend that they allow a fence but not a 6 foot fence, more like a 3 foot decorative fence so people could see out. Commissioner Wilkins mentioned that they had to build fences along trails. Planning Director Gabryszak noted in this location perhaps they may not require a fence in some areas along the trail.

**7. Approval of Minutes:**  
**a. July 14, 2016**

**Motion made by Commissioner Steele to approve the minutes of July 14, 2016. Seconded by Commissioner Funk. Aye: Sandra Steele, David Funk, Kirk Wilkins, Ken Kilgore, Troy Cunningham, Brandon MacKay. Motion passed 6 - 0.**

**8. Reports of Action.** – No reports of Action.

**9. Commission Comments.** – No comments

**10. Director's Report:**

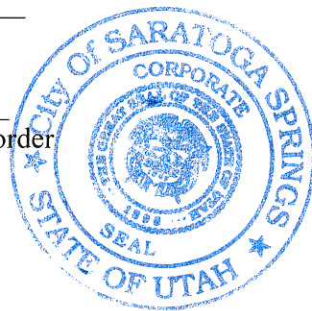
- a. Council Actions** – approved Annexation Policy Plan, Discount Tire with reduction in parking, amendment to River Heights D.
- b. Applications and Approval**
- c. Upcoming Agendas** – on the 11<sup>th</sup> it will be a joint meeting with City Council. They will be talking about updates to the General Plan.
- d. Other**

**11. Motion to enter into closed session.** – No closed session was held.

**12. Meeting Adjourned at 9:53 p.m. by Chairman Kirk Wilkins**

11 Aug 2016  
Date of Approval

Nicolette Fike  
Nicolette Fike, Deputy City Recorder



Kirk Wilkins  
Planning Commission Chair  
Kirk Wilkins